IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

MACA.No. 1882 of 2007

OPMV.165/2005 of MOTOR ACCIDENT CLAIMS TRIBUNAL, KASARAGOD
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APPELLANTS/CLAIMANTS

G.RAJENDRAN NAIR, AGED 40 YEARS,
S/O. GOPALAN NAIR, R/AT AR CAMP, KASARAGOD,
P.O.RAMDAS NAGAR, KASARAGOD DISTRICT.

BY ADV. SMT.R.PADMAKUMARI

RESPONDENTS: RESPONDENTS
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1. V.K.VIJAYAN, AGED 56 YEARS,
S/O. GOVINDAN, MADATHIL HOUSE, IRITTY,
PAKKAM VILLAGE, KANNUR DISTRICT.

2. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPURAM.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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M.A.C.A.No.1882 OF 2007

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Dated this the 24th day of October, 2007

JUDGMENT

Radhakrishnan, J

The question that arises for consideration in this appeal is whether the compensation amount awarded by the Tribunal is just and proper. Petitioner claimed Rs.30,000/- as loss of earning. But no evidence has been adduced to show that he was on loss of pay. Therefore, Tribunal awarded Rs.2,000/- for loss of earning. Learned counsel submitted that he was on medical leave from 17.10.04 to 31.5.05. Tribunal awarded a total compensation of Rs.40,500/-.

Considering the entire facts and circumstances, we find that the Tribunal awarded reasonable compensation amount. We find no reason to interfere with the award passed by the Tribunal. Therefore, the appeal is dismissed.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

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